CA-1600 (3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION NO. 4115 OF 2003

PETITIONER : Bholanath Mishra, S/o Late Bachhu Ram Mishra, Age 52 Years, Occupation- business, R/o 170 Transport Nagar Korba, Distt: Korba (C.G.)

VERSUS

RESPONDENTS :

(1) Union of India,
Through Secretary, Ministry of Law,
Shashtri Bhavan, R. P. Road,
New Delhi.

(2) Central Bank Of India, through it's Branch Manager, Branch Korba, Tah. & Distt. – Korba (C.G.)

(3) Chief Manager (Recovery)/ Authorised Officer, Central Bank Of India, Zonal Office, Raipur (C.G.)

(4) M/s J.S.V.S. Engineering Works, Through its Partner Joginder Singh, R/o 44A Industrial Area, Rajgamar Road Korba, Distt: Korba.

शपथ आयुक्त
एस.के शुक्ला
बिलासपुर (म.प्र.)
15/12/03

P. R. No. 33602/03
Presented by Shri ... Singh
dated 16/12/03

Received
9/XII/03.
for C.G. S.C.
for Resp. No 1.

WRIT PETITION U/A 226/227 OF THE CONSITITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDER OR DIRECTION

XI-HC-22

(36)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 4115/2003 सन् ~~200~~

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	DIVISION BENCH: **HON'BLE SHRI A.S.VENKATACHALA MOORTHY, CJ & HON'BLE SHRI FAKHRUDDIN, J.** **29/06/2004**: - Shri Awadh Tripathi counsel for the petitioner. Shri Vinay Harit, Sr. Standing Counsel for the Union of India, for respondent No.1. Shri Sanjay K. Agrawal counsel for the respondent No.2. Following the decision of the Supreme Court in the matter of **Mardia Chemical Ltd. Vs. Union of India (2004 AIR SCW 2541)**, the writ petition stands dismissed. However, it is made clear that where a secured creditor has taken action under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in such cases it would be open to borrowers to file appeals under Section 17 of the Act within the limitation as prescribed therefor, to be counted with effect from today. Sd/- Chief Justice Sd/- Fakhruddin Judge	

[पीछे देखिये